

## **REMARKS/ARGUMENTS**

Claim 1 has been canceled by the foregoing amendments, overcoming the Examiner's prospective objection to claim 2 under MPEP § 706.03(k). Claims 2-34 are now pending in the application. Claim 2 has been amended to include language from canceled claim 1. Specifically, the limitation of "obtaining a route plan" has been added to claim 2. Because it is believed that claims 2-34 are patentable over the art of record, Applicants have not amended the claims to overcome the Examiner's prior art rejections. Instead, Applicants submit the following Remarks/Arguments to overcome those rejections.

### ***Claim Rejections - 35 U.S.C. § 103***

#### **Rejections on Cox in view of Lau**

The Examiner has rejected claims 1-4 and 6-34 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication 2003/0216145 A1 to Cox et al. (hereafter "Cox") in view of U.S. Patent Application Publication 2002/0168986 A1 to Lau et al. (hereafter "Lau"). This rejection is respectfully traversed.

Claim 1 is canceled. Therefore, the rejection of claim 1 is moot and should be withdrawn.

Claim 2, as amended, recites:

A method of responding to a route planning service request initiated from a mobile station, the mobile station being located at a mobile station position, the route-planning service request defining an identifying-parameter, the method comprising, in combination:

identifying the mobile station position based on the identifying-parameter;  
receiving a destination telephone number;  
identifying a destination position corresponding to the destination telephone number;  
generating or obtaining a route plan for travel from the mobile station position to the destination position; and

conveying the route plan for receipt by a person. (*Emphasis supplied*)

Claim 2 recites a method of responding to a route planning service request initiated from a mobile station that comprises receiving a destination telephone number and identifying a destination position corresponding to the destination telephone number for use in route planning. Applicants respectfully submit that the combination of Cox and Lau does not render claim 2 obvious.

Cox relates to a method of providing directional assistance to a telephone subscriber. In the method of Cox, a Mobile Identification Number or Electronic Serial Number is included in a call stream from a mobile phone to a directory assistance center. Cox teaches that a user identifies the location of his/her destination to a directory assistance agent. Cox further teaches that the user may provide his/her current location or that location may be determined based on information contained in the call stream associated with the user's call. *See page 3, paragraph 0026.*

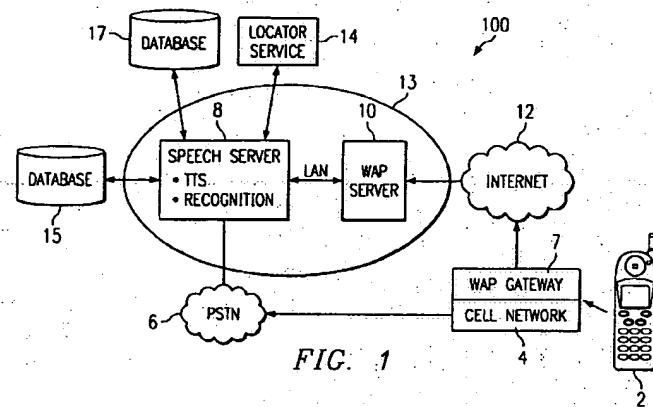
As the Examiner concedes, Cox does not teach, disclose or describe receiving a destination telephone number and identifying a destination position corresponding to the destination telephone number for use in planning a route, as is recited in claim 2. However, the Examiner cites paragraph 20 on page 2 of Lau as teaching these aspects of claim 2. Applicants respectfully disagree with this assertion.

Paragraphs 19 and 20 and Figure 1 of Lau are presented below for the Examiner's convenience.

[0019] As illustrated, wireless access device 2 is preferably configured to transmit either "data" or "voice." In practice, both "data" and "voice" are transmitted as analog or digital signals using similar radio frequency modulation and communication schemes. The difference between data and voice is the protocol used in handling the received signal at the receiving end. "Data" communications will be demodulated and treated as digital information,

whereas "voice" communications will be de-modulated, then passed to a digital-to-analog converter (DCA) to re-create a voice signal.

[0020] **Voice communications are transmitted over a cellular service provider network 4 to the public switched telephone network (PSTN) 6 and thence to the desired destination** (as indicated by the telephone number dialed). In the illustrated case, the desired destination is a speech server 8, for which additional details will be provided below. (*Emphasis supplied*)



As may be seen from paragraphs 19 and 20 (and Figure 1) of Lau, the transmission of voice and/or data signals is being discussed, not providing directional assistance, as in Applicants' claim 2. In paragraph 20, Lau describes transmitting voice communications from mobile device 2 over the cell network 4 and the PSTN 6 to a desired "destination." In this instance, the "destination" is a dialed phone to which voice communication signals are sent. Applicants respectfully submit that this portion of Lau, and that patent as a whole, in no way teaches, suggests or describes modifying the method of Cox to produce a method of responding to a route planning service request initiated from a mobile station that comprises receiving a destination telephone number and identifying a destination position corresponding to the destination telephone number for use in planning a route, as recited in claim 2. Thus, even were one of skill in the art to combine Lau with Cox, which it is not conceded that they would, that combination would still lack these aspects of claim 2. Therefore, the proposed combination of Cox and Lau does not render claim 2 obvious.

Claims 3-30 depend ultimately from claim 2 and include all of its limitations, as well as the limitations of any intervening claims. Therefore claims 3-30 are not obvious over the combination of Cox and Lau by virtue of claim dependency.

Claims 9-19 further define receiving a destination telephone number and identifying a destination position corresponding to the destination telephone number for planning a route, as recited in claim 2. Specifically, claims 9-16 further define receiving the destination telephone number and claims 17-19 further define identifying the destination position corresponding to the destination telephone number. Because Cox in combination with Lau does not teach, suggest or describe a method of responding to a route planning service request initiated from a mobile station that comprises receiving a destination telephone number and identifying a destination position corresponding to the destination telephone number for use in planning a route, claims 9-19 further distinguish from the proposed combination.

Based on the foregoing, claims 2-30 are not obvious on Cox in view of Lau. Thus, the rejection of claims 2-30 should be withdrawn.

Claim 31 recites:

A method for assisting a mobile station user to get from a current mobile station position to a destination position, the method comprising, in combination:

- receiving a route planning service request and responsively initiating a route planning session;
- generating a mobile station position inquiry, whereby the mobile station position inquiry may be forwarded to a mobile positioning system to establish the mobile station position;
- receiving, in response to the mobile station position inquiry, an indication of the mobile station position,
- receiving a destination telephone number;**
- initiating an inquiry to identify a destination position corresponding to the destination telephone number;**
- generating a route plan for travel from the mobile station position to the destination position;**
- conveying the route plan for receipt by the user,

whereby the route plan may assist the user to travel from the mobile station position to the destination position.

Claim 31 recites a method for assisting a mobile station user to get from a current mobile station position to a destination position comprising receiving a destination telephone number and initiating an inquiry to identify a destination position corresponding to the destination telephone number for use in route planning.

As was discussed above with respect to claim 2, Cox does not teach, describe or disclose receiving a destination telephone number and determining a destination position corresponding to the telephone number. Cox, in contrast, describes a method where the user provides the location of the destination. *See "second location 14" in Figure 1 and the associated description on page 3, paragraph 0026.* Furthermore, as was also discussed with respect to claim 2, Lau does not teach, suggest or describe modifying the method of Cox in such a fashion. Therefore, claim 31 is not obvious over the combination of Cox and Lau for the same reasons as were described above with respect to claim 2.

Claim 32 depends from claim 31 and includes all of its limitations. Therefore, claim 32 is not obvious over Cox in view of Lau by virtue of claim dependency. Based on the foregoing, the rejection of claims 31 and 32 should be withdrawn.

Claim 33 is directed to a route planning application server that comprises a set of machine language instructions for receiving a destination telephone number and for responsively initiating an inquiry to identify a destination position corresponding to the destination telephone number for use in route planning. Therefore, claim 33 distinguishes from the combination of Cox and Lau on a similar basis as discussed above with respect to claims 2 and 31. Thus, the rejection of claim 33 should be withdrawn.

Claim 34 recites:

A method comprising:  
receiving a route planning request;  
**receiving a destination telephone number;**  
**determining a mobile station location;**  
**based on the mobile station location and the destination telephone number, establishing a route plan for travel from the mobile station location to a location corresponding to the destination telephone number; and**  
providing the route plan.

The method of claim 34 comprises receiving a destination telephone number and establishing, based on a location of the mobile station and the destination telephone number, a route plan for travel from the location of a mobile station and a location corresponding to the destination telephone number. As was discussed above with respect to claims 2 and 31, the combination of Cox and Lau does not teach, suggest or describe such a method. Therefore, claim 34 distinguishes from Cox and Lau on a similar basis as claims 2 and 31, and the rejection of claim 34 should be withdrawn.

#### **Rejections on Cox and Lau and further in view of Schwartz**

The Examiner has rejected claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Cox and Lau and further in view of U.S. Patent Publication Application Publication 2002/0160790 A1 to Schwartz et al. (hereafter “Schwartz”).

Claim 5 depends from claim 2 and includes all of its limitations. Because claim 2 is not obvious over the proposed combination of Cox, Lau and Schwartz, claim 5 is also not obvious by virtue of claim dependency.

As was discussed above with respect to claim 2, the combination of Cox and Lau does not teach, suggest or describe receiving a destination telephone number and identifying a destination position corresponding to the destination telephone number for use in planning a route, as recited in claim 2. Schwartz does not make up for these deficiencies of Cox and Lau.

Schwartz is directed to a method and architecture for interactive two-way communication, not to providing directional assistance. The Examiner does not assert that Schwartz teaches the above aspects of claim 2 and merely cites Schwartz for the use of an Internet Protocol address. Thus, even were one of skill in the art to combine Schwartz with Cox and Lau, which it is not conceded that they would, that combination would still lack receiving a destination telephone number and identifying a destination position corresponding to the destination telephone number for use in planning a route, as recited in claim 2. Therefore, claim 2 is not obvious over the proposed combination of Cox, Lau and Schwartz. Further claim 5 is not obvious over the proposed combination by virtue of its dependency on claim 2. Thus, the rejection should be withdrawn

### Conclusion

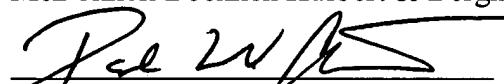
In view of the foregoing, all of the pending claims are in condition for allowance. If the Examiner has any questions, he is invited to contact the undersigned at (360) 379-6514. An early allowance of all the claims is respectfully requested.

Respectfully Submitted,

McDonnell Boehnen Hulbert & Berghoff

Date: March 8, 2004

By:

  
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**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

The undersigned hereby certifies that the foregoing AMENDMENT AND RESPONSE TO JANUARY 2, 2004 OFFICE ACTION is being deposited as first class mail, postage prepaid, in an envelope addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 8 day of March 2004.

  
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Paul W. Churilla